

**Enrolled Minutes of the Sixteenth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, August 13, 2012**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, August 13, 2012 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Brian Novak, Konnie Kuiper and Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed with the Metropolitan Police Chief, the Chief's concerns about Growlers, a saloon on Highway Avenue, annual anniversary event and the patrons conduct that requires added police resources. He noted that Growlers had submitted a request for a controlled event permit, allowing it to service alcoholic beverages on public property. The Chief suggested that if the Town Council was inclined to grant the request, it would be important that there be a manager or owner present on site at all times and that a contact telephone number to reach the manager or owner be provided to the Highland Metropolitan Police.
3. The Town Council discussed the Redevelopment Commission's recommendation urging that no sidewalk be included on a portion of the right of way along Indianapolis Boulevard, where the Indiana Department of Transportation had a major road improvement project that included removal of the bridge deck and lowering the roadway.

The study session ended at 7:08 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, August 13, 2012 at 7:10 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar, Brian Novak, Konnie Kuiper and Bernie Zemen. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Cecile Petro, Redevelopment Director; and Katy Dowling, Deputy Clerk-Treasurer were present.

Also present: Ed Dabrowski IT Director (Contract); Greg Kuzmar, Redevelopment Commission were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of July 23, 2012 were approved by general consent.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **Noah N. Young**. Police Officer Candidate Young was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of July 12, 2012, with appointment to be effective 22nd of July 2012.
 - (a) Action by Town Council determining that the named Candidate Meets the Qualifications for such position, as Determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council.

Councilor Kuiper moved, seconded by Councilor Vassar that the candidate be found qualified for the position with qualifications determined by the Town Board of Metropolitan Police Commissioners and being now approved. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The candidate was found to meet the qualifications for the position.
 - (b) Administration of Oath. The Town Clerk-Treasurer, offered a narrative regarding the meaning of oath-taking and administered the oath for the candidate, who swore his pledge.
 - (c) Presentation of Badge by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief. The Metropolitan Police Chief presented Officer Young his badge. Officer Young introduced family and friends who were present to observe the administration of his oath.
2. Indiana Harbor Lodge of Free and Accepted Masons cash donation to support public safety in Highland. *Mr. Bruce Bush.*

Mr. Bush, Trustee of the Indiana Harbor Lodge presented two checks each in the amount of \$200 to be donated to the municipality. He explained that one check was to support costs associated with the police canine program. He further explained that the remaining check support equipment for the Fire Department. The checks were given to the Town Clerk-Treasurer. The Town Council President thanked Mr. Bush for the generous donation.

Communications:

1. **Controlled Event Permit Request.** The Clerk-Treasurer read aloud a letter presenting a request for permission to conduct a beer garden on a public way submitted by Chamber of Commerce for the Midwest Zest Fest, September 7 through September 9, 2012. *This is a controlled event under Chapter 119. Section §119.02 requires action by the Town Council in an open regular or special session. Request is filed timely as it is filed at least 60 days before the desired event but was just presented to the Town Clerk-Treasurer. The Council will also need to fix the amount of liability insurance, pursuant to § 119.02 (D). Pursuant to that section, the Town Council has previously directed that the applicant procure liability insurance for the event which names the Town of Highland as an additional insured in the amount of Three million dollars (\$3,000,000) and provide a certificate or proof of this insurance before the event.*

Councilor Novak moved to grant the controlled event permit to the Highland Chamber of Commerce, provided that the additional insurance in the amount of \$3,00,000 be procured. Temporarily vacating the chair, Council President Zemen seconded the motion. Councilor Vassar as vice president, served as acting president while Council President Zemen participated in advancing the motion. Upon a roll call vote, there were

three negatives and two affirmatives. With Councilors Vassar, Kuiper and Herak voting in the negative and Councilors Zemen and Novak voting in the affirmative, the motion to grant the permit did not pass. The permit was denied.

2. **Controlled Event Permit Request.** Action regarding written request for permission to conduct a beer garden on a public property submitted by Growlers on Highway for its Fifth Anniversary Celebration, Saturday, August 25 2012. The public property is the parking lot owned by the Town of Highland, Redevelopment department. *This is a controlled event under Chapter 119. Section §119.02 requires action by the Town Council in an open regular or special session. Request is filed on August 13, only 13 days before the desired event. The Council will also need to fix the amount of liability insurance, pursuant to § 119.02 (D). Pursuant to that section, the Town Council has previously directed that the applicant procure liability insurance for the event which names the Town of Highland as an additional insured in the amount of Three million dollars (\$3,000,000) and provide a certificate or proof of this insurance before the event.*

Councilor Novak moved to grant the controlled event permit to the Growlers, provided that the additional insurance in the amount of \$3,00,000 be procured and an owner manager be present on the premises at all times. Again, temporarily vacating the chair, Council President Zemen seconded the motion. Councilor Vassar as vice president, served as acting president while Council President Zemen participated in advancing the motion. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Vassar, Kuiper and Herak voting in the negative and Councilors Zemen and Novak voting in the affirmative, the motion to grant the permit did not pass. The permit was denied.

Council President Zemen again assumed the chair.

3. The Town Clerk-Treasurer read aloud a letter from the Redevelopment Commission reporting its recommendation to eliminate a sidewalk planned for the easement on the east side of U.S. 41. The Town Council informally discussed the merits of the recommendation. Councilor Vassar moved, seconded by Councilor Kuiper to accept the recommendation. Upon further discussion and the expressed desire of the Town Council President to review the matter further, the motion was withdrawn. No action was taken.
4. Report a pending petition from John Zandstra, 3052 Lincoln Street, Highland regarding the vacation of an easement. The Clerk-Treasurer reported that Mr. Zandstra would be soon filing a vacation petition and that the matter would be taken up at the Town Council's next meeting.

Staff Reports:

• **Building & Inspection Report for July 2012**

Not filed.

• **Fire Department Report for July 2012**

	Month	2nd half of yr.
General Alarms	16	16
Still Alarms	13	13
Paid still alarms	7	7
Total:	36	

• **Workplace Safety Report for July 2012**

There were two incidents. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2012	Total in 2011	Restricted Days 2012	Lost Workdays This Year	Restricted Days Last Year (2011)	Lost Workdays Last Year (2011)
Parks	0	0	0	0	0	0	0
Fire	0	0	1	0	0	1	0
Police	0	5	3	0	0	0	0
Street	2	3	5	0	0	2	0
Water & Sewer	0	3	4	0	0	4	77
Maint.	0	0	1	0	0	0	0
Other	0	0	2	0	0	0	0
TOTALS	2	11	16	0	0	7	77

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

1. **Enactment No. 2012-33:** An Enactment Authorizing and Approving a Wellness Initiative for the Municipal Workforce the Health and Wellness Program of the IACT Medical Trust, for its Participating Members, Establishing a Limited Group Health and Wellness Benefit for Municipal Employees and their Covered Spouses, and Establishing a Compensatory Incentive under the terms of the Compensation and Benefits Ordinance, Pursuant to IC 36-1-3 and other relevant Statutes.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Enactment No. 2012-33. Councilor Novak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at this meeting.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Enactment No. 2012-33. Councilor Novak seconded. Upon a roll call vote, a two-third vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at the same meeting of introduction.

**Town of Highland
Enactment (ordinance)
Enactment No. 2012-33**

AN ENACTMENT AUTHORIZING and APPROVING A WELLNESS INITIATIVE FOR THE MUNICIPAL WORKFORCE the HEALTH and WELLNESS PROGRAM OF THE IACT MEDICAL TRUST, FOR ITS PARTICIPATING MEMBERS, ESTABLISHING A LIMITED GROUP HEALTH AND WELLNESS BENEFIT FOR MUNICIPAL EMPLOYEES AND THEIR COVERED SPOUSES, AND ESTABLISHING A COMPENSATORY INCENTIVE UNDER THE TERMS OF THE COMPENSATION AND BENEFITS ORDINANCE, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 5-10-8 further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council has determined that the establishment of a program for Health and Wellness services for its public workforce, consistent with Indiana Statutes, would be of benefit to support and carryout the public purposes of the municipality; and

WHEREAS, The Town Council now desires to authorize and establish such a program for medical infertility services for its public workforce on a limited basis;

NOW, THEREFORE, BE IT HEREBY ENACTED AND ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That there is established for the municipality a program for Health and Wellness services for its public workforce pursuant to and consistent with the provisions of the relevant governing law;

Section 2. That *Franciscan Working Well*, has presented a proposal to operate and provide a program of health and wellness services to the Town of Highland's municipal workforce and covered spouses, who are enrolled in either the PPO or the HDHP of the United Health Care group medical insurance plan, in which *Franciscan Working Well* will provide delivery of wellness services, particularly in performing health and wellness education sessions, preventative screenings, and related services, subject to a co-pay or an hourly fee, for the primary covered employee and the covered spouse, to be paid by the local government;

Section 3. That the Town Council further hereby authorizes and approves the payment of the identified individual session fee, as part of the program, in an amount not to exceed \$250 per class, to be available to every covered employee and spouse covered by the group health plan, who also participates in the **health and wellness education sessions**, and finds and determines the session cost to be a fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

Section 4. That the Town Council further hereby authorizes and approves the payment of the identified co-payment, as part of the program, in an amount not to exceed \$30, for every covered employee and spouse covered by the group health plan, who also participates in the **bone density screenings**, and finds and determines the co-payment to be a fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

Section 5. That the Town Council further hereby authorizes and approves the payment of the identified hourly fee, as part of the program, in an amount not to exceed \$120 (per hour) per health fair staff, for a program to be available for every covered employee and spouse covered by the group health plan, such program to be called the **"Know Your Numbers" mini health fair**, and finds and determines the hourly cost to be a fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

Section 6. (A) That the source of the funding for this program shall be the properly identified appropriation in Office of the Town Council in the Corporation General Fund which is established to support wellness expenses.

(B) That the Clerk-Treasurer shall take the steps necessary to carry out the administration of this program from the fund and account identified herein, including causing any additional appropriations hearing(s) that may be necessary, and properly encumbering the amount of money necessary to cover the liability likely to be incurred under the terms of this ordinance.

(C) That the payment of the fee by the municipality for the covered spouse of a covered employee and the Clerk-Treasurer is subject to sufficiency of appropriations available for expenditure pursuant to I.C. 6-1.1-18.

Section 7. (A) That in order to incentivize and encourage greater participation by the employees of the municipality, a financial incentive as described in subdivision (B) and (D) of this section shall be authorized;

(B) That the provisions of the Compensation and Benefits Ordinance commonly known as the Municipal Employees handbook, particularly Section §6.03.04 is hereby amended to read as follows:

§ 6.03.04 Employee Contribution for Certain Group Insurance Premiums

All full-time employees and the Clerk-Treasurer shall share the cost of the group health premium, which are to be paid through a salary reduction (payroll deduction) taken as a pre-tax payment according to the terms of a duly authorized IRC Section 125 Plan for the Town of Highland. The amount of the shared premium shall be fixed by ordinance as may be passed from time to time. All employees and elected officers may elect to include dependents under their group coverage.

All full-time employees and the Clerk-Treasurer who elect to participate in the group health insurance shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage. The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered

employee, excluding longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

Employee Share of Health Insurance Premium

Employee Single Coverage	1% of Base Pay
Employee With Children	2% of Base Pay
Employee With Spouse	2% of Base Pay
Family Coverage with Spouse and Children	3% of Base Pay

Participants in the Town of Highland Wellness Program. All full-time employees and the Clerk-Treasurer who elect to participate in the group health insurance and who have **completed the online health risk assessment (HRA), obtained a medical preventative exam with all age-appropriate testing, and have participated in one (1) Town-sponsored wellness event**, shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage, **at a reduced rate for coverage in the year 2013**. The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered employee, excluding longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

**Employee Share of Health Insurance Premium
for Biometric Screening Participants**

Employee Single Coverage	.5% of Base Pay
Employee With Children	1.5% of Base Pay
Employee With Spouse	1.5% of Base Pay
Family Coverage with Spouse and Children	2.5% of Base Pay

(C) That the reduced employee group health premium shall be effective and apply to all paydays occurring on or from January 1, 2013 and before January 1, 2014. The amendment to Section 6.03.04 of the Compensation and Benefits Ordinance shall be expire on January 1, 2014. For those employees who received this reduction in a previous year which but for this enactment would be expiring, they are eligible to maintain the reduction provided they participate in the wellness program described in and authorized by this enactment.

(D) That any covered employee that participates in the Corporate Fit Program, offered in conjunction with Highland Parks and Recreation, is eligible to compete for any or all of the following monetary incentive awards, subject to taxation, after full completion of the program:

- a. Challenge Champs – team with the highest percentage of weight lost in total. Each team member will be eligible for a \$50 incentive.
- b. Consistency Champs – team with the highest average of physical activity minutes per day. Each team member will be eligible for a \$100 incentive.
- c. Inchworm Champs – team with the highest total number of inches lost. Each team member will be eligible for a \$50 incentive.

Section 8. Subject to the approving action of the Highland Park and Recreation Board, all covered employees who elect to participate in the wellness program will be eligible to obtain an individual membership at the Highland Parks & Recreation Fitness Center at a modified fee to provide further incentive to participation in the IACT Medical Trust Wellness Program.

Section 9. That this enactment is to be construed as a companion enactment complimentary to any ordinance or enactment passed from time to time establishing compensation and benefits, known as the Compensation and Benefits Ordinance and commonly promulgated as the Municipal Employees Handbook;

(A) That this enactment shall be effective to the extent that it is not in conflict with Federal or State law;

(B) That all other ordinances, enactments and resolutions related to the subject matter of this enactment and not in conflict with its provisions, remain in full force and effect;

Section 10. That this authorization shall be construed as an elective group benefit and not an entitlement;

Section 11. That this enactment shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 13th day of August 2012. Consideration on same day or at same meeting of

introduction experienced a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of August 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Enactment No. 2012-34:** An Enactment Authorizing and Approving a wellness initiative for the municipal workforce supporting flu vaccinations for full-time workers, firefighters, to be paid at the expense of the municipality as employer, pursuant to IC 5-10 et seq; and IC 36-1-3.

Councilor Novak introduced and moved the consideration at the same meeting of introduction of Enactment No. 2012-34. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at this meeting.

Councilor Novak moved the passage and adoption at the same meeting of introduction of Enactment No. 2012-34. Councilor Kuiper seconded. Upon a roll call vote, a two-third vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at the same meeting of introduction.

**Town of Highland
Enactment (ordinance)
Enactment No. 2012-34**

AN ENACTMENT AUTHORIZING AND APPROVING A WELLNESS INITIATIVE FOR THE MUNICIPAL WORKFORCE SUPPORTING FLU VACCINATIONS FOR FULL-TIME WORKERS, FIREFIGHTERS, TO BE PAID AT THE EXPENSE OF THE MUNICIPALITY AS EMPLOYER, PURSUANT TO I.C. 5-10 ET SEQ; AND IC 36-1-3.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Title 5, Article 10, Chapters 2.2 and 2.6 enables a public employer to provide programs of group health insurance by purchasing policies of group insurance or establishing self-insurance programs.

WHEREAS, Title 36, Article 1, Chapters 3 provides that a unit of local government unit has all powers granted it by statute and all other powers *necessary or desirable* in the conduct of its affairs, even though not granted by statute;

WHEREAS, Title 36, Article 1, Chapters 3 further provides that a unit of local government desiring to exercise powers under IC 36-1-3, must adopt an ordinance prescribing a specific manner for exercising the power;

WHEREAS, The Town Council of the Town of Highland, has been advised of the desirability of establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses; and,

WHEREAS, The Town Council of the Town of Highland, has determined that establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses to be a desirable action that will promote worker wellness and well being and reduce absenteeism due to flu related illness,

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That a wellness initiative authorizing flu shot vaccinations to be paid from public funds as an employer provided benefit is hereby approved and authorized for the following identified groups:

- (A) Full-time members of the municipal workforce and the Clerk-Treasurer;
- (B) Member firefighters of the Highland Fire Department;

- (C) Spouses of full-time members of the municipal workforce, the Clerk-Treasurer and member firefighters of the Highland Fire Department;

Section 2. That this authorization is effective from August 13, 2012, continuing until its expiration on December 31, 2012 and shall be construed as an elective group benefit and not an entitlement;

Section 3. That this benefit is subject to sufficiency of appropriations available for expenditure in the Office of the Town Council, Corporation General Fund, pursuant to I.C. 6-1.1-18 and shall not exceed the amount of \$2,500.00;

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 13th Day of August 2012. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 13th Day of August 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

3. **Resolution No. 2012-35:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From The Advisory Board Of Zoning Appeals Department To The Plan Commission Department Of The Corporation General Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Kuiper moved, seconded by Councilor Vassar the passage and adoption of Resolution No. 2012-35. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2012-35**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from the ADVISORY BOARD OF ZONING APPEALS DEPARTMENT to the PLAN COMMISSION DEPARTMENT of the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories and Departments than were initially appropriated for the various functions of the **Advisory Board of Zoning Appeals Department and the Plan Commission Department of the Corporation General Fund;**

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds and departments of funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing designated but unobligated appropriations of the **Advisory Board of Zoning Appeals Department of the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in **Plan Commission Department of the Corporation General Fund** in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

Plan Commission Department

Increase Acct: #310.02-0008 Engineering	:	<u>\$1,000.00</u>
Total Series and Department:		\$1,000.00

Advisory Board of Zoning Appeals Department

Decrease Acct # 310.01-0002 Legal Fees	<u>\$1,000.00</u>
Total Series and Department:	\$1,000.00

Total Increase to Fund:	\$ 0.00
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DULY RESOLVED and ADOPTED this 13th Day of August 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2012-28:** An Order Approving and Authorizing the Metropolitan Police Chief to Enter into a Purchase Agreement with *WatchGuard* Video for two (2) Police In-Car Cameras with Accessories, pursuant to IC 5-22 and §31.18(C) of the Municipal Code.

Councilor Vassar moved, seconded by Councilor Kuiper the passage and adoption of Works Board Order No. 2012-28. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2012-28**

AN ORDER APPROVING AND AUTHORIZING THE METROPOLITAN POLICE CHIEF TO ENTER INTO A PURCHASE AGREEMENT WITH *WATCHGUARD* VIDEO FOR TWO (2) POLICE IN-CAR CAMERAS WITH ACCESSORIES, PURSUANT TO IC 5-22 AND §31.18(C) OF THE MUNICIPAL CODE.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carryout the functions of the department; and

Whereas, The Metropolitan Police Chief has previously determined a need to replace certain equipment and supplies and has further determined that since the unit price will likely be below \$25,000.00, no quotes from vendors was or will be sought, but instead a purchase of two (2) Police In-Car Cameras, will be made in open market, pursuant to Section § 31.20 (G) (2) of the Highland Municipal Code;

Whereas, The Metropolitan Police Chief has previously identified *WatchGuard* Video, to be a desirable source vendor for the purchase of two (2) Police In-Car Cameras, at a unit price of \$5,070.00 for each camera, but a total contract price of \$10,140.00, plus shipping and handling, pursuant to Section § 31.20 (G) (2) of the Highland Municipal Code;

Whereas, The contract price for the purchase of the foregoing is in excess of \$10,000 and, pursuant to §31.18(C) as well as §31.19(B)(1)(b) of the Highland Municipal Code, does require the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(2) of the Highland Municipal Code serves as purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to §31.19(D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The purchase will supported by a duly approved appropriation in the **Donation Fund**; and

Whereas, The Town Council now desires to approve and authorize the Metropolitan Police Chief to enter into a purchase agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby finds and determines that the purchase as an individual purchase represents a duly executed **small purchase** pursuant to IC 5-22 and §31.20(G) (2) of the Highland Municipal Code;

Section 2. That the purchase of two (2) Police In-Car Cameras, at a unit price of \$5,070.00 for each camera, but a total contract price of **\$10,140.00**, plus any shipping and handling, is hereby authorized and approved;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14;

Be it So Ordered.

DULY, PASSED, ADOPTED AND Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of August 2012 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. Authorize the proper officer to publish a notice for proposed additional appropriations in the Innkeeper Tax Fund in the amount of \$8,000.00. Councilor Herak moved to authorize the proper officer to advertise as indicated. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication was authorized.

6. Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1511 the Wage and Salary Ordinance, as amended.

6.1 The Public Works Director requests favorable action for T. Ryan, a part-time laborer, for which the pay range is \$12 to \$14, to be approved at the starting hourly rate of \$14.00. The position is Master Gardener/Streetscaping

Councilor Kuiper moved to authorize the increased pay for T. Ryan. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The increased pay was approved.

7. Action on Accident, Death and Disability Group Insurance Plan (Plan 1) for the firefighters of the Highland Fire Department, as required pursuant to IC 36-8-12 et seq., with Provident Insurance, as underwriter, for an annual premium of \$5,542 per year for three years.

Councilor Kuiper moved to approve the insurance plan to be renewed for a term of three years. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The insurance plan and term were approved.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak acknowledged the Public Works Director who offered a cursory overview of pending projects and roadwork.

Councilor Herak recognized the Parks and Recreation Superintendent who provided a cursory survey of park programs as well offered a progress report on park improvements.

Councilor Herak also reported that the Community Events Commission completed at a recent meeting its post event review, and made some notes on how to improve the annual festival for next year.

- **Councilor Dan Vassar:** • *Redevelopment Commission Liaison.*

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities and the facade improvement program. She noted that Apex Construction had applied recently for a façade improvement grant.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison.*

Councilor Kuiper recognized the Fire Chief who offered a cursory survey of departmental activity.

Councilor Kuiper recognized the Metropolitan Police Chief who reported on the results from a recent sobriety check point operation, resulting in 15 arrests.

- **Councilor Brian Novak:** *Advisory Board of Zoning Appeals, Liaison • Traffic Safety Commission Member • Northwestern Indiana Regional Planning Commission member • Lake County Solid Waste Management District Board Member.*

Councilor Novak offered birthday wishes to Councilor Vassar.

Councilor Novak recognized the Building Commissioner who offered a brief survey regarding matters before the Advisory Board of Zoning Appeals.

Councilor Novak also recognized the Metropolitan Police Chief who offered a cursory survey of matters before the Traffic Safety Commission.

- **Councilor Bernie Zemen:** *Town Executive • Chamber of Commerce Liaison • Police Pension Board Chairman • Plan Commission member • Liaison to the Board of Waterworks Directors.*

Council President Zemen offered birthday wishes to Councilor Vassar.

Comments from Visitors or Residents:

1. Erik Sprenne, 3118 Wirth Road, Highland, expressed his objection to the recommendation of the Redevelopment Commission suggesting that no sidewalk be installed as part of the Indianapolis Boulevard improvement project. Mr. Sprenne favored the sidewalks as a member of South Shore Trails group.
2. Robert Hoffman, 9607 Dogwood, Munster, expressed the same view as Mr. Sprenne. He did indicate that he wished to better understand the alternative recommendation as suggested by the Redevelopment Commission.

With leave from the Town Council, a colloquy ensued between and among Mr. Hoffman, Mr. Sprenne, Greg Kuzmar of the Redevelopment Commission and the Redevelopment Director.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period July 24, 2012 through August 13, 2012. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$378,896.51; Motor Vehicle Highway and Street (MVH) Fund, \$17,710.54; Local Road and Street (LRS) Fund, \$18,266.56; Law Enforcement Cont. Education and Supply Fund, \$1,570.80; Corporation Bond and Interest, \$77,580.00; FSA Agency Fund, \$759.87; Insurance Agency Fund, \$142,564.23; Information and Communications Technology Fund, \$7,808.93; Special Events Non Reverting Fund, \$24,231.79; Police Pension Fund, \$61,145.63; Municipal Cumulative Capital Development Fund, \$2,600.00; General Improvement Fund, \$3.00; Traffic Violations and Law Enforcement Agency Fund, \$5,282.00; Safe Neighborhood Grant Fund, \$7,345.30; Municipal Cumulative Street Fund, \$6,295.50; Sexual Predator Grant Fund, \$9,792.00; Special Public Safety Fund, \$2,978.00; Payroll Fund, \$2.63. Total: \$765,833.29.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Novak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, August 13, 2012 was adjourned at 8:16 O'clock p.m. There was no study session following the plenary meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer